

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, namely, "Sandalwood Oil," and it differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia, and its own standard of strength, quality, and purity was not stated upon the label. It was alleged to be adulterated further in that its purity fell below the professed standard and quality under which it was sold, namely, "Pure East India Sandalwood Oil U. S. P.," since it was not a volatile oil distilled with steam from the dried heartwood of *Santalum album* Linné in that it contained a terpeneol, an added adulterant.

It was alleged to be misbranded in that the statement on the label, "Pure East India Sandalwood Oil U. S. P.," was false and misleading; and in that it was an imitation of and was offered for sale under the name of another article.

On November 28, 1938, no claimant having appeared, judgment of condemnation was entered, and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30004. Misbranding of Hessel's Oil. U. S. v. 6 Packages and 2 Packages of Hessel's Oil. Default decree of condemnation and destruction. (F. & D. No. 43905. Sample No. 25498-D.)

This product bore on its labeling statements and a device regarding its curative and therapeutic effects which were false and fraudulent.

On September 21, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eight packages, in various sizes, of Hessel's Oil at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about June 9, 1938, by Vita Laboratories from Philadelphia, Pa.; and charging misbranding in violation of the Food and Drugs Act as amended.

An analysis showed that the article consisted essentially of peppermint oil.

The article was alleged to be misbranded in that the statement on the bottle label, "Hessel's Oil An Aid To The Home Infirmary Hospital" and the statements upon the carton "C. B. Hessel's Oil An Aid To The Home Infirmary Hospital" and "After rubbing, stay in a warm room for some time, covering the afflicted parts with a towel," and the word "Vita," constituting a part of the firm name, appearing upon both the bottle label and the carton, were false and fraudulent in that they meant to the purchaser that the article was a remedy for asthma, diarrhea, earache, hay fever, heart condition, hemorrhoids, inflammations, infections, lumbago, rheumatism, arthritis, sinus disorders, sleeplessness (insomnia), stomach and bowel trouble, and paralytic stroke, having acquired such meaning as a result of statements made in a circular entitled "Hessel's Oil The World's Finest Universal Home Remedy!" as set forth in circulars sent by the shipper to the consignee on or about March 5 and June 16, 1938.

On November 3, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30005. Adulteration and misbranding of Barbetigo. U. S. v. Wilford H. Pyott (Barbetigo Co.). Plea of guilty. Fine, \$100. (F. & D. No. 42595. Sample No. 11718-D.)

The labeling of this product bore false and fraudulent representations regarding its curative and therapeutic effects, and false and misleading representations regarding its effectiveness as a disinfectant and germicide.

On November 26, 1938, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Wilford H. Pyott, trading as the Barbetigo Co., at Salt Lake City, Utah, alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about September 24, 1937, from the State of Utah into the State of Idaho of a quantity of Barbetigo that was adulterated and misbranded.

Analysis showed that the article consisted of water and 18.2 grams per 100 cubic centimeters of zinc sulfate. Bacteriological examination showed that it was ineffective as a germicide or antiseptic.

The article was alleged to be adulterated in that its strength fell below the professed standard under which it was sold in that the statement on the label, "Germicide," represented that it was of the standard of strength of a germicide; whereas it was ineffective as a germicide.